



JOSEPH R. BIDEN, III
ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
820 NORTH FRENCH STREET
WILMINGTON, DELAWARE 19801

CONTACT JASON MILLER
PUBLIC INFORMATION OFFICER
PHONE (302) 577-8949
CELL (302) 893-8939
Jason.Miller@state.de.us

Media Release
July 25, 2008

New Laws Toughen Penalties for Environmental Offenses

Wilmington, DE – Attorney General Beau Biden announced that new laws strengthening Delaware’s environmental laws have been enacted. Senate Bill 309, drafted by the Department of Justice and signed into law this week by Governor Ruth Ann Minner, enhances penalties against illegal air and water pollution and other environmental crimes, broadens the scope of Delaware’s anti-dumping laws, and increases penalties against all violations committed in Delaware State Parks.

“Defiling the air we breathe, the water we drink, and the land on which we live are serious crimes that warrant serious penalties,” stated Attorney General Joseph R. Biden, III. “I’m pleased that we now have stronger tools to fight and deter environmental crime.”

The changes enhance Delaware’s environmental protection statutes in several key ways, including:

- Increasing penalties for illegal dumping, some of which have not been increased in 35 years.
- Doubling the minimum penalty for strict liability environmental offenses for air and water pollution and other environmental violations.
- Giving private landowners the right to seek damages and attorneys’ fees from polluters who illegally dump on their land.
- Establishing greater penalties for all violations of regulations in Delaware’s state parks, including dumping and polluting. These include doubling the penalty for first offenses and setting higher penalties for multiple offenses. These penalties have not increased in 17 years.
- Enhancing law enforcement’s tools to prosecute dumping by allowing citations to be issued to owners of vehicles that are involved in dumping activity.
- Clarifying that those who indirectly participate in illegal dumping are also violating the law.

Senate Bill 309 was introduced by Senator David McBride. The bill unanimously passed the Senate on June 24 and the House of Representatives on June 30. It was drafted by the Delaware Department of Justice with input from the Delaware Department of Natural Resources and Environmental Control.

###